

Serial No. 09/459,037

-9-

Docket No. 1232-4604

**REMARKS**

Claims 25-27, 41-43, 47-52 and 57-66 are pending in this application. By this Amendment, Applicants have amended claims 25-27, 47, 49, 51, 57, 59, 61, 63 and 65. Reconsideration of the above identified application in view of the foregoing amendments and the following remarks is respectfully requested.

**Rejections Under 35 U.S.C. § 102(e):**

Claims 25-27, 41-43 and 47-62 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,408,174 to Steijer. Claims 25-27, 47, 49, 51, 57, 59 and 61 are independent.

Applicants have amended claims 25-27, 47, 49, 51, 57, 59 and 61 to include the feature of receiving data from a communication network during a registration sequence. Steijer discloses that, when a device 10 initiates a call or receives a call, tariff information is sent to the device 10 (col. 3, lines 35-40). In Steijer, however, receiving the tariff information during a registration sequence is not disclosed.

Accordingly, Applicants respectfully submit that claims 25-27, 47, 49, 51, 57, 59 and 61 are not anticipated by Steijer.

**Rejections Under 35 U.S.C. § 103:**

Claims 63-66 were rejected under 35 U.S.C. § 103 as being unpatentable over Steijer in view of U.S. Patent No. 5,915,214 to Reece. Claims 63 and 65 are independent.

The common feature of amended claims 63 and 65 is to store a communication charge for a first carrier in accordance with the switching from the first carrier to a second carrier.

809338 v1

Serial No. 09/459,037

-10-

Docket No. 1232-4604

Steijer discloses that tariff classes are determined based upon the distance involved in a subscriber's call (e.g., whether the call is within a predetermined local area, some other area within 160 km, or an area greater than 160 km). In Steijer, however, storing a communication charge for a first carrier in accordance with the switching from the first carrier to a second carrier is not disclosed.

Reece discloses that individual mobile communication devices 14 receive data containing information on the per minute rate that each wireless service provider is charging and then select a service provider (col. 6, lines 21-37). In Reece, however, storing a communication charge for a first carrier in accordance with the switching from the first carrier to a second carrier is not disclosed.

Accordingly, Applicants respectfully submit that claims 63 and 65 are not obvious over Steijer in view of Reece.

**Dependent Claims:**

Applicants do not believe it necessary at this time to address the rejections of the dependent claims as Applicants believe that the foregoing places the independent claims in condition for allowance. Applicants, however, reserve the right to address those rejections in the future should such a response be deemed necessary and appropriate.

\* \* \*

For the above-stated reasons, this application is respectfully asserted to be in condition for allowance, and an early and favorable examination on the merits is respectfully requested.

809338 v1

Serial No. 09/459,037

-11-

Docket No. 1232-4604

**AUTHORIZATION**

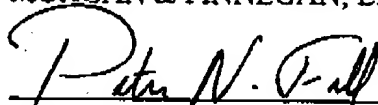
The Commissioner is hereby authorized to charge any additional fees which may be required by this response, or credit any overpayment to Deposit Account No. 13-4500, Order No. 1232-4604. A DUPLICATE COPY OF THIS PAPER IS ATTACHED.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 13-4500, Order No. 1232-4604. A DUPLICATE COPY OF THIS PAPER IS ATTACHED.

Respectfully submitted,  
MORGAN & FINNEGAN, L.L.P.

Dated: December 8, 2003

By:

  
Peter N. Fill  
Registration No. 38,876

Correspondence Address:

MORGAN & FINNEGAN, L.L.P.  
345 Park Avenue  
New York, NY 10154-0053  
(212) 758-4800 Telephone  
(212) 751-6849 Facsimile